

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

June 20, 2013

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on June 6, 2013 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending June 19, 2013 in the amount of \$ 263,923.07 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Calnon; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of June 6 – June 19, 2013
- Report from the Building Inspector's Office January 23 – June 18, 2013
- Statement from the City Clerk's Office of all monies received during the month of May 2013 in the total amount of \$15,694.40
- Finance Department Statement of Revenue and Expenditures for the month of May 2013
- Report of Public Hearing held by the Zoning Board of Appeals on June 17, 2013

RESOLVED: That the reports as listed are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Tiffer; Seconded by Councilor Rabideau

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council in the amount of **\$ 881,437.11** are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Colin Read Champlain Wine Company 8 City Hall Place spoke about the success of and in support of First Weekends and let the Council know that they are trying to restart the Downtown Business Association and they met this morning.

Tim McCormick with McCormick and Deon on Margaret Street spoke in support of First Weekends and that it was a huge success.

Councilor Rabideau said you mentioned requesting to close off City Hall Place. Will it be open to any business whatsoever in the City of Plattsburgh to participate in the event.

Colin Read Champlain Wine Company 8 City Hall Place said oh absolutely. In the morning business session we wanted to make sure we defined downtown Plattsburgh as being inclusive not exclusive.

Councilor Rabideau said and it's open to the general public.

Kevin Sabourin 5 Draper Ave spoke in support of First Weekends.

Councilor Calnon said about how many people do you think you had down there on Saturday?

Colin Read Champlain Wine Company 8 City Hall Place said on Saturday I would say off and on probably around 500, I'm guessing. I can tell you it's one of the busiest Saturday's I've had.

Councilor Calnon said I'm thinking more of the most at one time sort of thing.

Colin Read Champlain Wine Company 8 City Hall Place said if you looked down the street probably at one time I would say 150 to 200.

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves the Municipal Lighting Department be permitted to proceed with the write-off of unpaid final bills for the period April 1 to April 30, 2012 in the amount of \$3,209.23. The percentage of write-offs for this period is .23%.

By Councilor Jackson; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to adjust the 2013 General Fund Budget by an increase of \$9,930.00 equally in estimated revenues and appropriations for Handicapped Accessible Treehouse contributions received to fund the project cost.

By Councilor Calnon; Seconded by Councilor Tiffer

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to adjust the 2013 General Fund Budget by an increase of \$10,000.00 equally in estimated revenues and appropriations for the Clinton County District Attorney contributions received to fund equipment costs.

By Councilor Case; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves Thomas Powers from Citizens for the Constitution to hold a NY State Act Rally on US Oval on August 9, 2013 from 4pm – 9pm.

By Councilor Rabideau; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves the Plattsburgh YMCA to conduct their 9th annual “Tour de Rand Hill” bike race on July 20, 2013.

By Councilor Tiffer; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves Plattsburgh High School to have its annual Homecoming Parade on Saturday, September 28, 2013 at 1:00 PM. The parade route would begin at Stafford Middle School continue up Rugar Street, then down Adirondack Lane onto Clifford Drive and finally down Angell Drive towards cafeteria.

By Councilor Rabideau; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves that all bids received on May 21, 2013 be rejected and that Contract #2013-14 “City Beach Entrance Improvements” be re-advertised.

By Councilor Jackson; Seconded by Councilor Case

Discussion:

Councilor Jackson said how much do we have in this capital project, is it \$80,000?

Kevin Farrington City Engineer said I think its \$50,000.

Councilor Tiffer said I had a chance to talk to Steve and just in case anyone was wondering why the bids came back way to high. He’s hoping we can have the project done this fall.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to self-fund 22 first aid workers compensation claims incurred during the 2012-2013

policy period at a total cost of \$5,074.79 in order to reduce the City's future premiums to the New York State Insurance Fund affected by the frequency of these first aid claims.

By Councilor Calnon; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. RESOLVED: In accordance with the request therefore the Common Council authorizes the Mayor to sign "New England Interstate Water Pollution Control Commission Agreement," NEI Job Code: 983-003-013, Project Code: L-2013-025.

By Councilor Calnon; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

J. Designation of City Clerk for Service of Notice of Claim by Secretary of State

Resolved: Pursuant to Section 53 of the General Municipal Law, the City Clerk of the City of Plattsburgh is hereby designated as the City officer to whom the Secretary of State shall transmit a copy of any Notice of Claim served upon the Secretary of State as the City of Plattsburgh's agent; further

Resolved: Distributions to the City of Plattsburgh for its share of fees for service of Notices of Claim will be sent to the following Remittance Address: City Chamberlain, 6 Miller Street, Plattsburgh, NY 1290; further

Resolved: The Corporation Counsel is authorized to sign and file a Certificate of Designation for Service of Notice of Claim with the Department of State.

By Councilor Case; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

K. Motion to waive rule 4 for initial consideration "Request by Councilor Tiffer from the Downtown Business Association to close City Hall Place from Bridge Street to Lower Court Street for First Weekends. The street will be closed down from 2p to 5p on Saturdays July 6, August 3, and September 7."

By Councilor Tiffer; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

RESOLVED: In accordance with the request therefore the Common Council approves the Downtown Business Association to close City Hall Place from Bridge Street to Lower Court Street for First Weekends. The street will be closed down from 2p to 5p on Saturdays July 6, August 3, and September 7.

By Councilor Tiffer; Seconded by Councilor Carpenter

Discussion:

Councilor Carpenter said he was unsure how he felt about it in the beginning but after attending the Downtown Business Association meeting this morning and after discussing it with them and he explained what his reservations were. They explained why they wanted to do it and he's on board with it allowing them to try it so he'll be voting yes for this and he would ask them all to.

Councilor Tiffer said he had a chance to see the inception of this First Weekend concept and they never thought that they were going to do 4 events this year. They thought that they were going to be able to schedule one in September. So they were going to use all their resources toward that one event. However, because of the Biggest Loser event because of the street already being closed for the beginning of June they saw this as an opportunity and take a chance and have the event start in June. Because they were able to get so much support from businesses, from residents, from a variety of people, organizations they knew that this was a viable event to do the rest of the summer. And that's the reason they are pushing forward for July, August and September. They have a multitude of people that are on board that are ready to volunteer ready to make downtown vibrant for that 3 hour period. I can't see the negative for this. It's a 3 hour period that the downtown merchants actually said from 2 to 5 on Saturday's is actually our dead time. This is the best time period to get people down here we want people down here at this time period. So I have to support it.

Councilor Calnon said one of the things he was thinking about in considering this was that it's not a particularly large area from Bridge to the end of lower Court. He wondered if in fact things could be done in that small an area then perhaps we should better use the park and the associated streets there. But that's something we should probably keep that in the back of our minds particularly depending on what the activities are. He did have the chance to talk to one of the board members from the Transportation Museum who talked about the vehicles and the kids. And obviously you're not going to be doing that on grass and we don't want to do it on the hills that both lower Court and Trinity present. So we should really take a really hard look at this. He thinks that this is the right thing to do, however, he would like to see if there's a way, depending on the activities, if we could make more use of Trinity Park and less of the highway. But let's see how that plays out. Let's see how the folks organizing this develop it. We may want to revisit it for later in the year. But he thinks all the comments that have been made so far about generating activities in downtown are right on. Particularly interested in getting ongoing feedback from the businesses that are in that section of street they're the ones who are going to be most impacted. So he thinks it is a pretty good idea.

Councilor Jackson said the more he's heard about this and he knows how successful the first weekend was. Anything that can improve businesses downtown or get people downtown or used to coming downtown to help the city do well is a good idea. Give it a shot see how it goes.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request by Councilor Tiffer from the Downtown Business Association to close City Hall Place from Bridge Street to Lower Court Street for First Weekends. The street will be closed down from 2p to 5p on Saturdays July 6, August 3, and September 7. (**Move to Agenda under "Other Items" Letter K**)

10. NEW BUSINESS:

Councilor Jackson would like to recognize that this will be the last official that Ducky Drake will be attending as the WIRY correspondent for the City of Plattsburgh. Wish you well in your retirement, enjoy yourself and the best of luck.

Mayor Kasprzak congratulated Ducky and thanked him for his service.

Corporation Council John Clute said a couple of weeks ago the City LDC had sent you guys a report and recommendation on who to carry on the conversation with on the possibility of a City marina. He thinks that's a decision that needs to be made and should be made promptly so that we don't lose another year you know the building sitting there. When do you want to consider that and probably both of the people that have made proposals would like an opportunity to make some brief remarks. You may or may not want to open it up to public comments. I'm not sure how you'd like to proceed on that he thinks we should proceed.

Councilor Tiffer said we have a committee meeting schedule next week would we be able to schedule that?

Corporation Council John Clute said he described it as a conversation because it's not any kind of authorization to enter in to a contract we are a long ways from that if it ever comes. There's a lot more planning that needs to be done. We've just got to decide.

Councilor Jackson said there are 6 Councilors and only 3 are required to come to this meeting. I would prefer our next meeting on July 2nd that they came and talked to us during the work session.

Councilor Carpenter said he wants a say as to what goes on so if we're doing it next week during the special meeting then I'm going to come because I want to have a say.

Councilor Calnon said we can't make a decision then.

Councilor Tiffer said the reason he suggested the committee meeting is everyone's invited you guys are more than welcome to come. Is so they're able to present and we can all see what their presentation is. And we have a week to discuss it.

Councilor Jackson said if they come on the 2nd and make their presentations. You aren't looking for us to pass any resolutions or are you?

Corporation Council John Clute said what we need at this point is whomever we decide we're going to carry this on with is going to spend time and their probably going to spend money actually pursuing the design of something that might work out there. They need to know that the Council as a whole is supporting the conversation with the group.

Councilor Calnon said part of the reason for having committees is to refine the information that we're going to bring before the Council as a whole. This is a particular case so his question to John is if a quorum of us shows up does that then become a special meeting that we would need to provide notice for?

Corporation Council John Clute said I really haven't paid too much attention to these off week meetings. I thought they were advertised in the beginning of the year and the news media and everybody was notified that these were scheduled on a regular basis.

Mayor Kasprzak and Councilor Calnon both said yes.

Corporation Council John Clute said he thinks that these meetings comply given the notification with the open meetings requirement. Because of the way they are advertised and everything else it really is a work session. The public and the news media doesn't expect that you are going to make any decisions at these meetings. So whether you have 4 or 6 next week doesn't really matter. If you are going to adopt a resolution just deciding who you are going to have further conversations with you should do it at that meeting. You should do it the following week at the July 2nd meeting. You are going to have a meeting anyway next week let me tell these folks here is the schedule. There won't be any decision made but there will be an opportunity to make some comments in support of their proposals. And a decision will be made the following week as part of the regular meeting agenda.

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

MEETING ADJOURNED: 6:04pm